

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

EDWARD LAMONT WOMBLE, )  
 )  
 Petitioner, )  
 )  
 v. ) 1:21-cv-232  
 )  
 NORTH CAROLINA, )  
 )  
 Respondent. )

## ORDER

On February 13, 2023, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 21, 22.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that Respondent's Motion to Dismiss, (Doc. 17), is **GRANTED**, that Petitioner's Corrected Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, (Doc. 9), is **DISMISSED**, and that this action is hereby, **DISMISSED**. The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 15th day of March, 2023.

William L. Osten, Jr.  
United States District Judge